

### **REMARKS**

Claims 1-20 are now pending in the application. Claims 1 and 16 have been amended. The claim amendments are fully supported by the application as filed and do not present new matter. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments and remarks contained herein.

### **INFORMATION DISCLOSURE STATEMENT**

The Office Action indicates that the reference titled "Communication for Japanese Patent Office re: counterpart application" will not be considered because an English translation was not provided. This reference does not need to be considered by the Examiner. Therefore, this objection is now moot.

### **TITLE / SPECIFICATION**

The Office Action objects to the title as not being clearly indicative of the invention to which the claims are directed. Applicants have amended the title to recite, in part, a "Transflective Liquid Crystal Device." Applicants believe that the amended title is now clearly indicative of the invention to which the claims are directed. Therefore, Applicants respectfully request that this objection to the title be reconsidered and withdrawn.

**REJECTION UNDER 35 U.S.C. § 102**

Claims 1, 3, 7-10, 12-14, 16 and 18 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Maeda et al. (JP 2000-066199). This rejection is respectfully traversed.

Claim 1 has been amended to recite, in part and with reference to Figure 2 for exemplary purposes only as Applicants' invention includes numerous embodiments, a black mask [33] formed on the second substrate [3], the black mask formed between adjacent dot areas. Further, Claim 16 has been amended to recite the step of forming a black mask on the second substrate, the black mask formed between adjacent dot areas.

The Maeda et al. reference appears to disclose, with reference to Figure 1, a first substrate 202 having a reflection layer 216 with a transparent electrode 215 covering the reflection layer 216 and a second substrate 201 having a color filter 213, a transparent protective coat 212, a transparent electrode 211, and an orientation film 210. In contrast to amended Claim 1 and Claim 16, the Maeda et al. reference fails to disclose or suggest a black mask formed on the second substrate, the black mask formed between adjacent dot areas or a method of forming such a black mask. Therefore, the Maeda et al. reference fails to anticipate or render obvious each and every feature of amended Claims 1 and 16, and those claims dependent therefrom. Applicants respectfully request reconsideration and withdrawal of this rejection of Claim 1, Claim 16, and those claims dependent therefrom.

### **REJECTION UNDER 35 U.S.C. § 103**

Claims 2, 4, 5, 15, and 17 stand rejected under 35 U.S.C. § 103(a) as being obvious over the Maeda et al. reference in view of the Hanakawa et al. reference (U.S. Pub. No. US 2002/0008815). This rejection is respectfully traversed.

With regards to the Maeda et al. reference, the Office Action acknowledges that the Maeda et al. reference alone fails to suggest each and every element of independent Claims 2 and 17. Specifically, page 2 of the Office Action recites, "Maeda differs from the claimed invention because he does not explicitly disclose the claimed underlying film." The Office Action relies on the combination of the Maeda et al. reference and the Hanakawa et al. reference to support its Section 103 rejection. Therefore, the Maeda et al. reference alone fails to render obvious Claims 2 and 17 and Claims 4, 5, and 15 dependent therefrom.

With regards to the Hanakawa et al. reference, the Hanakawa et al. reference was filed in the U.S. on May 24, 2001 and was published by the USPTO on January 24, 2002. Applicants' application was filed in the U.S. on February 2, 2002. therefore, the Hanakawa et al. reference can only be prior art under Sections 102(a) and 102(e).

To eliminate the Hanakawa et al. reference as a 102(a) reference, Applicants submit herewith an English translation of their JP 2002-029747 priority document, which was filed in Japan on February 6, 2001 to perfect this priority date. The claims of the application are fully supported by JP 2002-029747 document. Therefore, the Hanakawa et al. reference does not constitute prior art under Section 102(a).

To eliminate the Hanakawa et al. reference as a 102(e) reference, Applicants provide below a statement of common ownership in accordance with M.P.E.P. §

706.02(c)(2) demonstrating that Seiko Epson is the owner of both the current application and the Hanakawa et al. reference, thus eliminating the Hanakawa et al. reference as prior art under Section 102(e).

Because the Maeda et al. reference alone does not render obvious Claims 2, 4, 5, 15, and 17 and because the Hanakawa et al. reference is not prior art, Applicants respectfully request reconsideration and withdrawal of this Section 103(a) rejection.

#### **STATEMENT OF COMMON OWNERSHIP**

In accordance with M.P.E.P. §706.02(c)(2), Application Serial No. 10/068,304, and U.S. Pub. No. 2002/0008815 to Hanakawa et al. were, at the time of application 10/068,304, owned by Seiko Epson Corp. Therefore, the Hanakawa et al. reference does not qualify as a 35 U.S.C. §102(e) prior art reference.

#### **ALLOWABLE SUBJECT MATTER**

The Office Action states that Claims 6, 11, 19 and 20 are allowed. Applicants thank the Examiner for recognizing the patentable features of these claims.

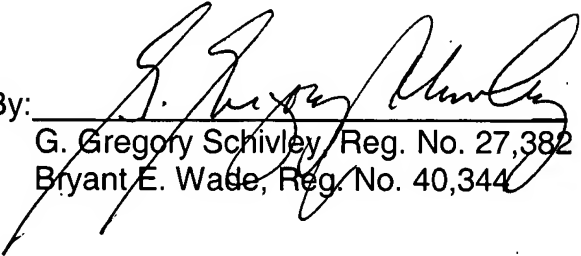
#### **CONCLUSION**

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Thus, prompt

and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

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